

## REMARKS/ARGUMENTS

This Amendment is responsive to the Final Office Action dated December 20, 2005.

Applicant's undersigned attorney appreciates the courtesies extended by examiner Gregory Adams during their several telephone discussions regarding proposed claims for the present application.

Although there was no agreement between examiner Adams and applicant's undersigned attorney as to allowable claims, based on the prior art presently cited in the present case, there was concurrence that there appears to be a possibility that the present disclosure includes patentable subject matter.

Accordingly, applicant herein cancels pending independent claim 1, and submits new claims 4 through 18, of which claims 4, 9 and 14 are independent claims, and each of which new claims is believed to be patently distinguishable over the cited prior art, namely, the cited combination of Smith et al. (US 2002/0168257) and Walton (US 5,882, 170).

Addressing the new claims, new independent claim 4 is directed to a deer-carrier rack for attachment to a frame of an all terrain vehicle, requiring an attaching frame configured for attaching in an upright orientation to an end of an all-terrain vehicle, the attaching frame having a lower end and an upper end, and a deer support frame comprising spaced apart left and right generally co-extensive elongate dog leg rods. Claim 4 requires each of the rods to have an axel end rotatably attached to the lower end of the attaching frame for generally upward and downward rotation of the deer support frame relative thereto, and an outer end opposite the axel end and spaced from the lower end of the attaching frame, the outer end of each of the rods having a length which is at least two times greater than a length of the axel end thereof, and the axel ends of the rods forming a concave region adjacent to the lower end of the attaching frame.

Claim 4 additionally requires the concave region being oriented so as to face upwardly when the attaching frame is attached in the upright orientation to an end of an all terrain vehicle and the deer support frame is rotatably positioned relative thereto in a deployed position extending outwardly therefrom, the upwardly facing concave region being

**configured for receiving a body of a deer thereon such that the deer support frame with a body of a deer received on the concave region can be rotated from the deployed position to an upright position wherein the outer ends of the rods extend**

**at least generally vertically and the concave region is spaced outwardly from the lower end of the attaching frame for supporting the body of a deer thereagainst, and such that the deer support frame in the upright position can be secured to the attaching frame or the all terrain vehicle for holding the body of the deer against the lower end of the attaching frame.**

Applicant respectfully asserts that this combination of features is not disclosed, taught or suggested by the combination of Smith et al and Walton, and therefore, new claim 4 is believed to be allowable.

New claims 5 through 8 depend from new independent claim 4 and add still further distinguishing limitations thereto. Accordingly, claims 5 through 8, in combination with base claim 4, are believed to be allowable.

New independent claim 9 is directed to a deer-carrier rack for attachment to a frame of a frame of an all terrain vehicle, requiring an attaching frame configured for attaching in an upright orientation to an end of an all-terrain vehicle, the attaching frame having a lower end and an upper end; and a deer support frame comprising spaced apart left and right elongate dog leg rods. Claim 9 requires the dog leg rods to have axel ends rotatably attached to the lower end of the attaching frame for generally upward and downward rotation of the deer support frame relative thereto, and outer ends opposite the axel ends and spaced from the lower end of the attaching frame, the axel ends of the rods including

**concave portions disposed adjacent to the lower end of the attaching frame and configured such that when the attaching frame is attached to an end of an all terrain vehicle and the deer support frame is rotatably positioned relative thereto in a deployed position, the outer ends of the dog leg rods will extend outwardly from the attaching frame and the concave portions will face upwardly and be unobstructed so as to be configured for receiving and supporting a body of a deer thereon, and the deer support frame being rotatable upwardly from the deployed position to an upright position wherein the concave portions of the dog leg rods are spaced outwardly from the lower end of the attaching frame forming a cavity therebetween and the outer ends will extend upwardly, such that a body of a deer received and supported on the concave portions when the deer support frame is in the deployed position can be held thereon and in the cavity against the lower end of the attaching frame by the concave portions, as the attaching frame is rotated upwardly to the upright position.**

Applicant respectfully asserts that this combination of features is also not disclosed, taught or suggested by the combination of Smith et al and Walton, and therefore, new claim 9 is believed to be allowable.

New claims 10 through 13 depend from new independent claim 9 and add still further distinguishing limitations thereto. Accordingly, claims 10 through 13, in combination with base claim 9, are believed to be allowable.

New independent claim 14 is directed to a deer-carrier rack for attachment to a frame of an all terrain vehicle, requiring an attaching frame configured for attaching in an upright orientation to an end of an all-terrain vehicle, the attaching frame having a lower end and an upper end; and a deer support frame comprising spaced apart left and right generally co-extensive elongate dog leg rods, each of the rods having an axel end rotatably attached to the lower end of the attaching frame for generally upward and downward rotation of the deer support frame relative thereto, and an outer end opposite the axel end and spaced from the lower end of the attaching frame, the outer end of each of the rods having a length which is at least two times greater than a length of the axel end thereof, and

**the axel ends of the rods forming a concave region adjacent to the lower end of the attaching frame, the concave region being oriented so as to face upwardly when the attaching frame is attached in the upright orientation to an end of an all terrain vehicle and the deer support frame is rotatably positioned relative thereto in a deployed position extending outwardly therefrom, the upwardly facing concave region being configured for receiving a body of a deer thereon so as to allow the deer support frame with a body of a deer received on the concave region to be rotated from the deployed position to an upright position wherein the outer ends of the rods are rotated past vertical and the concave region will be spaced outwardly from the lower end of the attaching frame for supporting the body of a deer thereagainst.**

Applicant respectfully asserts that this combination of features is also not disclosed, taught or suggested by the combination of Smith et al and Walton, and therefore, new claim 14 is believed to be allowable.

New claims 15 through 18 depend from new independent claim 14 and add still further distinguishing limitations thereto. Accordingly, claims 15 through 18, in combination with base claim 14, are believed to be allowable.

With entry of this amendment, all of the claims in the application, namely, claims 4 through 18, are believed to include limitations which patently distinguished them over the cited prior art. None of the cited prior art, either alone or in combination, is believed to include all of the features of the new claims. Accordingly, favorable action and allowance of all of the new claims is respectfully requested.

New pending claims 4 through 18, including new independent claims 4, 9 and 14 amount to less claims than originally paid for. Accordingly, no fee for submission of the new claims is believed to be to due. The Commissioner is authorized to charge any credit or deficiency for submission of the present claims, to Deposit Account No. 08-1280.

A three month extension of time is requested to extend the time for submitting this Amendment. The Office Action was mailed on December 20, 2005, and the initial three month period in which to submit a response ended on March 20, 2006. The three month extension of time extends the response time up to and including June 20, 2006. Enclosed is a check in the amount of \$510.00 which is the charge for an extension of three month as set forth in 37 CFR §1.17(a)(3) for a small entity. The Commissioner is authorized to charge any credit or deficiency to Deposit Account No. 08-1280.

If the Examiner has any requirements or suggestions for placing the present claims in better condition for allowance, Applicant's undersigned attorney would appreciate a telephone call at the number listed below.

Respectfully submitted,

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